

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL NO. 09-398 WPL/ACT

CHRISTINE A. BOIANO, DC,

Defendant.

DEFAULT JUDGMENT

This cause came before the Court upon the motion by the United States for entry of default judgment against the Defendant Christine A. Boiano. The Court FINDS:

1. On May 20, 2009, Defendant signed a Waiver of the Service of Summons form. (Doc. 4.)
2. On June 12, 2009, Defendant signed a Consent to Proceed Before a U.S. Magistrate form. (Doc. 10.)
3. The time allowed by law within which Defendant may answer or otherwise plead has expired and Defendant has failed to answer or otherwise plead to Complaint.
4. A default as to Defendant has been entered by the Clerk of this Court. (Doc. 9.)
5. On November 3, 2009, Plaintiff filed its Motion for Entry of Default Judgment. (Doc. 12.) On November 4, 2009, Plaintiff filed a certificate of service, showing

that, on that date, the motion was mailed to Defendant at the address provided on the Waiver of the Service of Summons form and the Consent to Proceed Before a U.S. Magistrate form. (Doc. 14.)

6. Defendant has made no response to the motion.
7. The allegations of the Complaint are hereby adopted as findings of fact.

The Court concludes as a matter of law that the United States of America is entitled to the relief demanded in the Complaint, as supported by the Certificate of Indebtedness attached thereto.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff, United States of America, should have, and it is hereby granted, judgment against the Defendant in the amount of \$61,541.48, consisting of \$61,101.90 principal, \$439.58 accrued interest as of March 9, 2009; plus interest accruing on the unpaid principal balance at the daily rate of \$5.65 from March 9, 2009, to the date of judgment, with interest accruing at the legal rate, compounded annually, thereafter until paid; United States District Court Clerk docket fees in the amount of \$350.00 as provided by 28 U.S.C. § 1914(a) and 1923(a), lien fees in the amount of \$18.00, plus costs of this action.

DATED this 2nd day of December, 2009.



WILLIAM P. LYNCH
UNITED STATES MAGISTRATE JUDGE